

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

S5 15-cr-379 (PKC)

-against-

ORDER

OTTO SALGUERO MORALES, AND RONALD
SALGUERO PORTILLO,

Defendants.

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CASTEL, U.S.D.J.

In response to the Court's Order of August 2, 2022, the Court has received a letter purporting to explain why the above defendants need the next scheduled conference on September 14, 2022 to be advanced.¹ It lays out developments in the defendants' investigation and the basis for their belief as to the credibility of a person thought to be a principal witness for the government. Defendants make much of the fact that they have shared this information, including documents obtained in the course of a defense investigation, with the government and have met with the government to discuss the information. These discussions began months ago.

The relief the defense will seek from the Court at the requested conference is not specifically detailed but it may include requesting more time to investigate the case and the options for future unspecified motions. These matters, in defense counsel's view, cannot wait until the previously scheduled conference on September 14, 2022.

The Court is not indifferent to whether a witness has or will testify falsely in front of a trial jury. But a grand jury sitting in this district has returned an indictment against these

¹ The letter is dated August 3, 2022 but was not transmitted by defense counsel either to Chambers or to the Chambers email inbox which are constantly monitored. The letter was sent to the inbox of my vacationing Deputy Clerk and therefore was not received by me until 1:15pm today, August 10, 2022.

defendants. No claim has been made that the indictment is defective. The government at this stage is not required to disclose its trial evidence, including who its witnesses will be.

The Court will grant defendants' request and schedule a conference for August 17, 2022 at 2 pm in Courtroom 11D. The government shall arrange the production of the defendants for the conference.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
August 10, 2022